

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LARRY J. SPURGIN,)	
)	
Plaintiff,)	8:05CV436
)	
vs.)	ORDER
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	

This matter is before the court on the parties' Stipulation for Dismissal (Filing No. 10). The court finds that the parties' joint stipulation should be granted.

IT IS ORDERED that the parties' joint stipulation (Filing No. 10) is granted and this case is dismissed with prejudice, each party to bear its own costs.

DATED this 1st day of February, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge